

232428

2011-395-T



Davis
Transportation

Services, Inc.

RECEIVED
SEP 20 2011

September 20, 2011

S.C. Public Service Commission
Clerk's Office
P.O. Drawer 11649
Columbia, SC 29211

RE: Class C Non-Emergency Application

Dear S.C. Commission,

Enclosed are the application forms for the Class C Non Emergency certificate request for Davis Transportation Services, Inc. I previously held a Non Emergency certificate for over eight years before canceling my certificate in April 2009 due to the decline in business. I am now ready to jump start my business again and would like to be considered for the non emergency certificate.

If you need additional information, please contact me at 864-275-5176.

Thank you,

Charles Davis

STATE OF SOUTH CAROLINA

(Caption of Case)

Example: Application for a Class C Charter Certificate from
John Doe dba Doe's Limo

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

TRANSPORTATION COVER SHEET

DOCKET

NUMBER: _____ - _____ - _____

If this is your first time filing an application with the PSC, you will not have a Docket Number. The Commission will assign one to you. If you have filed with the Commission before, a Docket Number was assigned and should be entered above.

(Please type or print)

Submitted by: Davis Transportation Service, INC Telephone: 864-281-9270
Address: 4808 Cross Creek Lane Fax: 864-213-9463
Greenville, SC 29615 Other: _____
Email: davis@transportation-services.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

NATURE OF ACTION (Check all that apply)

- | | |
|---|--|
| <input type="checkbox"/> Application - Class A/A Restricted | <input type="checkbox"/> Request for Name Change on Certificate |
| <input type="checkbox"/> Application - Class C Taxi | <input type="checkbox"/> Request to Amend Scope of Authority |
| <input type="checkbox"/> Application - Class C Charter | <input type="checkbox"/> Request to Amend Tariff (rate increase, etc.) |
| <input type="checkbox"/> Application - Class C Charter Bus | <input type="checkbox"/> Request to Amend Passenger Limit |
| <input checked="" type="checkbox"/> Application - Class C Non-Emergency | <input type="checkbox"/> Request |
| <input type="checkbox"/> Application - Class C Stretcher Van | <input type="checkbox"/> Exhibit |
| <input type="checkbox"/> Application - Class E Household Goods | <input type="checkbox"/> Late-Filed Exhibit |
| <input type="checkbox"/> Application - Class E Hazardous Waste | <input type="checkbox"/> Letter |
| <input type="checkbox"/> Application | <input type="checkbox"/> Proposed Order |
| <input type="checkbox"/> Request for Extension to Comply with Order | <input type="checkbox"/> Publisher's Affidavit |
| <input type="checkbox"/> Request for Order Granting Authority to Obtain a Certificate of Public Convenience and Necessity to be Rescinded | <input type="checkbox"/> Reservation Letter |
| <input type="checkbox"/> Request for Cancellation of Certificate | <input type="checkbox"/> Response |
| <input type="checkbox"/> Request for Suspension | <input type="checkbox"/> Return to Petition |
| <input type="checkbox"/> Request for Reinstatement | <input type="checkbox"/> Other: _____ |

If you have any questions about this form, please contact the PUBLIC SERVICE COMMISSION at 803-896-5100.

X35

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210
(Mailing address: Post Office Drawer 11649, Columbia, SC 29211)

Phone: (803) 896-5100 Fax: (803) 896-5199

APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR
OPERATION OF MOTOR VEHICLE CARRIER

CLASS C - NON-EMERGENCY

Date: 9/6/11

Application is hereby made for a Certificate of Public Convenience and Necessity, in accordance with the provision of S.C. Code Ann., § 58-23-10, et seq. (1976), and amendments thereto.

1. Name under which business is to be conducted (corporation, partnership, or sole proprietorship, with or without trade name.)

Davis Transportation Services, Inc.

4808 Crosscreek Lane Greenville SC 29615

Street Address of Applicant

P.O. Box 25747 Greenville SC 29616

Mailing Address of Applicant if different from street address

804-281-9270

Phone

804-213-9463

Fax

davis transportation services@yahoo.com

Email Address

2. If incorporated, a copy of Articles of Incorporation must be attached. (If incorporated outside of SC, attach SC Secretary of State "Foreign Corporation" Certificate.)

3. Select Entity Type: (Check one)

- ☐ Individual Owner/Sole Proprietorship
☐ Partnership - List names and address of all person having an interest in the business.
☐ Corporation - List names and addresses of two principal officers.

Applicant is financially able to furnish the services as specified in this application and submits the following statement of assets and liabilities.

BALANCE SHEET

Balance at Time Application is Filed:

Month August Year 2011

Assets:

Cash	1000.00
Receivables	0
Real Estate	0
Buildings and Equipment (Net)	0
Motor Vehicles (Net)	855.00
Garage Equipment (Net)	0
Machinery and Tools (Net)	0
Supplies on Hand	500.00
Prepays and Other Assets	0
Total Assets	1500.00
<u>Liabilities and Equity:</u>	
Accounts Payable	0
Notes Payable	0
Mortgages Payable	0
Equipment Obligations	0
Accrued Salaries and Wages	0
Other Accrued Obligations	0
Other Liabilities	0
Total Liabilities	
Capital Stock	0
Retained Earnings	0
Total Equity	0
Total Liabilities and Equity	0

PROPOSED RATES AND CHARGES FOR SERVICE

Maximum Proposed Rates and Charges for Service are as follows:

DTS will provide transportation with flexible routing and scheduling to passengers requesting door to door services for \$2.00 per mile.

Counties to be Served:

Greenville, Spartanburg, Laurens, Anderson, Oconee, Pickens, Greenwood, Newberry, Cherokee, Columbia

Maximum Number of Passengers per Vehicle:

Ford: 12 passengers

15

DESCRIPTION OF EQUIPMENT

[illegible]

INSURANCE QUOTE

This form **MUST BE COMPLETED AND SIGNED** by an **AUTHORIZED INSURANCE COMPANY REPRESENTATIVE**. The insurance quote must be complete, listing current insurance premiums. At the discretion of the Commission, a copy of current insurance policies may be required. Do not provide a copy of insurance policies unless requested.

The following insurance quote is for:

Davis Transportation Services *JWC*

Name of Motor Carrier

4808 Cross Creek Lane, Greenville, SC 29616

Address of Motor Carrier

Amount of Premium:

\$1,000,000

Liability Insurance \$

The above quoted premium is for a term of 12 months.

Minimum Limits - Bodily injury and property damage limits will not be less than the following:

		Limits Quoted
Liability Combined Each Occurance	\$ 1,000,000	\$1,000,000
Medical Payments per Person	\$ 1,000	\$1,000

National Casualty Insurance Company

Name of Insurance Company

8877 N Gainey Center Dr., Scottsdale, AZ 85258

Home Office Address of Company

I am familiar with the Commission's Rules and Regulations relating to insurance requirements and the above quote meets the minimum insurance limits prescribed. The insurance company making this quote is authorized by the South Carolina Department of Insurance to do business in South Carolina.

8/25/2011

Angela J McNally

Date

Authorized Insurance Company Representative's Signature

NOTICE:

If you wish to self-insure your motor vehicles for liability and property damage, you must comply with S.C. Code Ann. Sections 56-9-60 and 58-23-910. For more information, contact Vickie Coker with the Department of Motor Vehicles at (803) 896-8457.

If you wish to apply as a self-insured for worker's compensation coverage in South Carolina you may do so with the South Carolina Worker's Compensation Commission (WCC) provided that you will be able to: 1) post a surety bond or letter-of-credit with the WCC for a minimum of \$500,000, 2) agree to pay a yearly self-insurance tax, and 3) agree to pay an annual assessment to the South Carolina Second Injury Fund. For more information, contact the WCC Self-Insurance Division at (803) 737-5712 or on the web at www.wcc.state.sc.us/self-insurance.

Exhibit FWA

Davis Transportation Services
Name

U.S.D.O.T No.

ICC No.

1. Is there currently any outstanding judgments against the Applicant?

☐ Yes

☒ No

If Yes, indicate nature of judgement(s) against applicant.

2. Is Applicant familiar with all statutes and regulations, including safety regulations and governing for-hire motor carrier operations in South South Carolina, and does Applicant agree to operate in compliance with these statutes and regulations?

☒ Yes

☐ No

3. Is Applicant aware of the Commission's insurance requirements and the insurance premium costs associated therewith?

☒ Yes

☐ No

Exhibit on Driver Qualifications

1. Applicant understands that drivers must possess at least a current American Red Cross Standard First Aid and CPR Certificate or its equivalent, and records that verify/record such training must be kept on file at the company's primary place of business within South Carolina.

☒ Yes

☐ No

2. Applicant understands that drivers must be in compliance with all OSHA regulations.

☒ Yes

☐ No

3. Applicant understands that drivers must be trained in the use of all vehicle installed safety equipment such as two-way radios, first-aid kits, fire extinguishers, and other equipment as outlined in PSC Regulations.

☒ Yes

☐ No

4. Applicant understands that drivers must be able to physically perform actions necessary to assist persons with disabilities, including wheelchair users.

☒ Yes

☐ No

5. Applicant understands that drivers must wear a professional uniform and photo identification badge that easily identifies the driver and the company for whom the driver works.

☒ Yes

☐ No

6. Applicant understands that drivers must complete twelve (12) hours of in-service training annually in the area of safety, and records that verify/record such training must be kept on file at the company's primary place of business within South Carolina.

☒ Yes

☐ No

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA
POST OFFICE DRAWER 11649
COLUMBIA, SOUTH CAROLINA 29211

Applicant is familiar with the provision of S.C. Code Ann. §58-23-10, et seq.(1976), and amendments thereto, and R.103-100 through R.103-241 of the Commission's Rules and Regulations for Motor Carriers (Vol.26, S.C. Code Ann., 1976), and R.38-400 through 38-503 of the Department of Public Safety's Rules and Regulations for Motor Carriers (Vol.23A, S.C. Code Ann.,1976) and amendments thereto, and hereby promises compliance therewith.

STATE OF SOUTH CAROLINA)

COUNTY OF Greenville)

Charles E. Davis
Applicant's Signature

I, Charles Davis, Owner
Name of Applicant's Representative Title

of Davis Transportation Services, Inc.,
Applicant

the Applicant for the Certificate of Public Convenience and Necessity as set forth in the foregoing, swear or affirm that all statements contained in the above application are true and correct.

Charles E. Davis
Signature of Applicant's Representative

SWORN TO BEFORE ME
This 6 day of Sept., 2011

Walter E. Davis
Notary Public

Commission Expires 2017

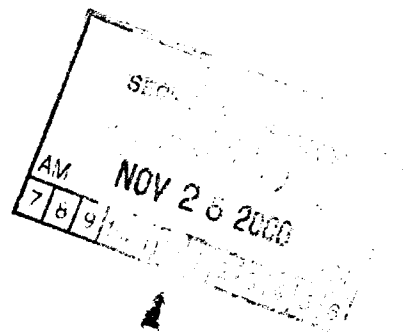
PLEASE TO BE A TRUE AND CORRECT COPY
HEREON AND COMPARED WITH THE
ORIGINAL ON FILE IN THIS OFFICE

NOV 28 2000


SECRETARY OF STATE OF SOUTH CAROLINA

STATE OF SOUTH CAROLINA
SECRETARY OF STATE

ARTICLES OF INCORPORATION
FOR A
STATUTORY CLOSE CORPORATION



Davis Transportation Services, Inc.

1. The name of the proposed corporation is

Davis Transportation Services, Inc.

2. This corporation is a Statutory Close Corporation, formed pursuant to Chapter 18, Title 33 of the 1976 South Carolina Code, as amended.

3. The initial registered office of the corporation is

245 Congaree Road, #807, Greenville, SC 29607

and the initial registered agent at such address is

Charles E. Davis.

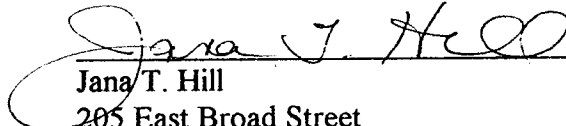
4. The corporation is authorized to issue a single class of shares, the total number of shares authorized is **100,000**.
5. The existence of the corporation shall begin when these articles are filed with the Secretary of State unless a delayed date is indicated (See, Section 33-1-230(b)): **upon filing.**
6. Unless specified otherwise below, the transfer of shares of stock of the corporation is subject to the restrictions set out in sections 33-18-110 thru 33-18-130 of the 1976 South Carolina Code, as amended. Specify any variations in the statutory format in §§ 33-18-110 thru § 33-18-130:

Paragraph (2) of § 33-18-110(b) (or any succeeding statute of like tenor and effect) shall not apply; therefore, in addition to other restrictions before any shares may be directly or indirectly transferred to or for the benefit of the shareholder's family they shall be first offered to the corporation pursuant to the provisions of S.C. Code Ann. § 33-18-120 (Supp. 1988)

b. Prohibition on Issuing Shares or Accepting Loans Which Might Disqualify the Company from Being an S Corporation:

At any time after the corporation has filed an S corporation election (and prior to the company having filed a voluntary revocation of the election pursuant to Internal Revenue Code §1362(d)(1) of 1986, or of any succeeding statute of like tenor and effect), the corporation shall not (1) authorize any securities which will cause the corporation to have classes that vary other than by voting rights, nor (2) borrow money from any shareholder under terms or conditions that would cause such borrowing to be treated as an additional security or class of stock. Any such attempted borrowing or authorization of a different class of stock which violates the provisions of the first sentence of this Article #9(b), shall be void *ab initio*, and shall not be deemed to be a security or obligation of this company.


10. The name and address and signature of each incorporator is as follows (only one is required):



Jana T. Hill
205 East Broad Street
Greenville, SC 29601

11. I, **S. Allan Hill**, an attorney licensed to practice in the State of South Carolina, certify that the corporation, to whose articles of incorporation this certificate is attached, has complied with the requirements of Chapter 2, Title 33 of the 1976 South Carolina Code relating to the articles of incorporation.

Date: November 27, 2000



S. Allan Hill
Attorney at Law, CPA

Temple, Mann, Briggs & Hill
205 East Broad Street
Greenville, SC 29601
(864) 242-4995

7. The corporation shall have a board of directors (See § 33-18-210 of the 1976 Code).
8. This corporation **DOES NOT** elect to have the provisions of §§33-18-140 thru 33-18-170 of the 1976 Code, which give the estate of a deceased shareholder the right to compel the corporation to purchase the deceased shareholder's shares, apply.
9. The optional provisions which the corporation elects to include in the articles of incorporation are as follows (See §33-2-102 and the applicable comments thereto; and 35-2-105 and 35-2-221 of the 1976 South Carolina Code):

a. **Restriction on Transfer To Prevent Loss of S Corporation Status:**

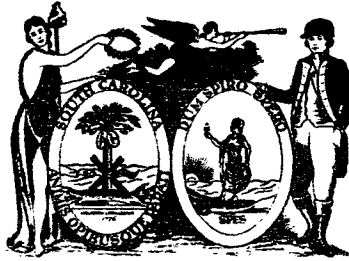
At any time after the corporation has filed an S corporation election (and prior to the corporation having filed a voluntary revocation of the election pursuant to Internal Revenue Code § 1362(d)(1) of 1986, or any succeeding statute of like tenor and effect), no shares of the corporation shall be transferred either directly or indirectly, voluntarily or involuntarily, without the prior written determination of the board of directors, or by an attorney appointed by the board to give such an opinion, that the proposed transfer will not cause the S corporation election to be terminated.

Upon making such election, all shares issued by the corporation shall have conspicuously noted on the front or back of the certificate the following statement:

"This corporation, and its shareholders have, or intend to file an election, that the corporation be taxed under the provision of subchapter "S" of the Internal Revenue Code. This subchapter limits the number and type of persons who may own shares of this corporation.

Therefore until such election is voluntarily revoked, none of the shares represented by this certificate may be transferred in any manner whatsoever (either voluntarily or involuntarily, directly or indirectly, by pledge, sale, gift, levy, devise, succession, or any other attempted method of transfer) without the prior written consent of the board of directors or of the prior written consent of an attorney at law who is appointed in writing by the board of directors of the corporation to give such opinion, that such transfer will not cause the S corporation election to be terminated."

The State of South Carolina



Office of Secretary of State Jim Miles **Certificate of Existence**

I, Jim Miles, Secretary of State of South Carolina Hereby certify that:

DAVIS TRANSPORTATION SERVICES, INC.,

a corporation duly organized under the laws of the State of South Carolina on **November 28th, 2000**, and having a perpetual duration unless otherwise indicated below, has as of the date hereof filed all reports due this office, paid all fees, taxes and penalties owed to the Secretary of State, that the Secretary of State has not mailed notice to the Corporation that it is subject to being dissolved by administrative action pursuant to Section 33-14-210 of the South Carolina Code, and that the corporation has not filed articles of dissolution as of the date hereof.

Given under my Hand and the Great Seal of
the State of South Carolina this 30th day of
November, 2000.

A handwritten signature of Jim Miles in black ink, written over a horizontal line.

Jim Miles, Secretary of State